

Meeting Date:

4-11-06

AGENDA REPORT

Agenda Item #

5 B 2

Santa Clara



City of Santa Clara, California



DATE: April 11, 2006

TO: City Council for Information

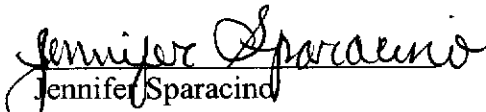
FROM: Executive Assistant to the Mayor and Council Offices

SUBJECT: Correspondence received regarding proposal to put Binding Arbitration for Public Safety Providers on the November 2006

The Mayor & Council Offices has received 6 additional communications from the community opposing the proposal to put Binding Arbitration for Public Safety Providers on the November 2006 ballot from Friday, April 7, 2006 through Tuesday, April 11, 2006.


Kim Fettahlioglu
Executive Assistant
Mayor and Council Offices

APPROVED:


Jennifer Sparacino
City Manager

Documents Related to this Report:
1) Communications from residents

7 April 2006

RECEIVED

APR 10 2006

City Clerk's Office
City of Santa Clara

Honorable Mayor and Council Members
City of Santa Clara

Dear Elected Officials:

I am writing this letter to express my very serious concerns over the issue of Binding Arbitration for the employees of the City's Police and Fire Departments.

I was extremely disappointed to learn that a petition is being circulated by Elaine Alquist, Mayor Patricia Mayhan and Council Member Pat Kolstad. The employees who desire this are capable of circulating their own petition. If our elected representatives are this supportive of relinquishing their elected responsibilities, they can without petition, put this issue to the voters.

The wording that I have seen disguises the issue for the voters. It emphasizes impartial arbitration. The fact of the matter is that it is not impartial. Each side has much to gain or lose. It emphasizes a prohibition against strikes, but the Council Members know, as well as Police and Fire employees, that under present law Police Officers and Firefighters are already prohibited from striking.

Santa Clara government has always treated its employees fairly. It is difficult to believe that the employees now feel the need to circumvent the will and responsibility of elected officials to treat them with fairness and justice.

The Unions have always been a dominate force in the election process. Why now, do they feel the need for a decision that will force the elected officials to take an action that is the decision of a paid individual who is not in any way responsible for a decision that that individual makes.

With the passage of this new Charter change, how would any settlement be reached without going to arbitration? After meeting and conferring, if the employee unions are not pleased, they have nothing to lose by bringing in an Arbiter, who most likely will meet somewhere in the middle.

I could go on and on, but I urge the Elected City Council, most all of whom I have voted for, to maintain your elected responsibilities under the Charter as it now exists and which has served the City very well.

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OFFICE OF THE MAYOR
CITY OF SANTA CLARA

I very respectfully urge you, our City Council, to continue your elected responsibilities, as difficult as they are, rather than to have the voters take them away from you. If that happens, Santa Clara's very costly decision might well be forced upon you by individuals not elected and not responsible to the people who you represent.

Respectfully,


Don Von Raesfeld

cc: City Manager ✓

From: "robert mcdowell" <rrmcdowell@hotmail.com>
To: <MayorandCouncil@ci.santa-clara.ca.us>
Date: 4/8/06 9:00AM
Subject: Binding Arbitration

Mayor and Council
Re: Non support for Binding Arbitration for Public Safety Employees

Dear Mayor and Council

Please don't support the Fire and Police Department unions in there bid to get Binding Arbitration. As a Fire Captain and life long resident this is not only unnecessary but will be a financial burden to the taxpayers of the Santa Clara City.

The unions justification for this as being necessary " because we can't strike" is totally ridiculous. We are not looking to arbitrate safety issues or even wages and benefits. These areas have always been exceptional to the employees of the City of Santa Clara. Instead the union no longer wants to negotiate with department administration and will arbitrate such issues as grooming standards and vacation picks. Do we really want to place this type of burden on those administrations. Do you really want "employees" to run there departments through third party arbitration. The nature of arbitration is to compromise which is an advantage to those who want something without giving something up.

I would challenge you to get a list of firefighters that live in this city and ask them if they support Binding Arbitration. If they say yes ask them what issues they want to arbitrate. I truly believe you will be surprised by their responses.

If you would like to address me on this issue please feel free to contact me.

Sincerely,
Bob McDowell

From: CDR Gordon Rollman <rollm4@sbcglobal.net>
To: <MayorandCouncil@ci.santa-clara.ca.us>
Date: 4/10/06 11:55AM
Subject: Binding Arbitration

Due to my wife's illness, I will not be able to attend the Council Meeting tomorrow night. We wish to tell you that we are opposed to binding arbitration for police and firefighters. The City has done a good job providing them with good pay and benefits while keeping the city budget under control. Do not give up that policy!

CDR and Mrs Gordon Rollman
657 Hudson Drive
Santa Clara

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APR 11 2006

April 11, 2006

Ms. Jennifer Sparacino, City Manager
City of Santa Clara
1500 Warburton Ave
Santa Clara, CA 95050

City Clerk's Office
City of Santa Clara

Dear City Manager Sparacino:

Please provide a copy of this communication to the Mayor and Council Members before tonight's Study Session on the issue of placing a Binding Arbitration for Public Safety employees' measure on the November 2006 ballot.

I urge the Mayor and Council to Note and File the Agenda Report on this issue and take no further action

Having just had an opportunity to review the proposed ballot measure entitled "Impartial Arbitration for Fire and Police Department Employee Disputes", I find that it is both false and misleading! The measure, as currently written, leads prospective voters to believe that Santa Clara's Police Officers and Firefighters would be giving up the right to strike if the measure were to pass. As the Agenda Report correctly states, they currently have no such right under state law; and to imply that they do is dishonest!

The people of Santa Clara have given the responsibility for managing the City's employees and its finances to our elected Mayor, Council members, and Chief of Police. Placing this power into the hands of a panel of arbitrators subverts the will of the electorate in this regard. I find it particularly objectionable that the ballot measure includes "working conditions", which if enacted would create two classes of employees within the City: those that were subject to a fair hearing on the issues through the Civil Service process; and those that could look to the relief of an outside arbiter with no ties to the City.

I was an employee of the City for over 31 years, in both a labor and management capacity; and during that time...through all of the meet and confer processes...I found the City and Council to have dealt with its employees in a fair and equitable manner. Perhaps it is the timing of this issue that rankles my sensibilities most since the Police Officers Association very recently received a most-generous salary increase from the Council---one that some have said flies in the face of the difficult economic times that all cities in California are now experiencing.

If there is merit to this initiative---which I do not believe is the case---then the respective fire and police associations should gather signatures on their own to convince the voters in Santa Clara. I urge the Council to listen to the City Manager and current Chief of Police in this regard and take no action on this issue.

Respectfully,



Charles R. Arolla
Chief of Police, Retired

From: Maria Garza
To: Kim Fettahlioglu
Date: 4/11/06 11:23AM
Caller: Donald Sutton
Company: Resident of the City of Santa Clara

☒ Telephoned

☐ Will call again

☐ Wants to see you

☐ Urgent

☐ Please call

☐ Returned your call

☐ Came to see you

Called to express his opinion on the proposed amendment to the City Charter regarding binding arbitration. He is very much against it.

From: Kim Fettahlioglu
To: Kim Fettahlioglu
Date: 4/11/06 3:19PM
Caller: Kerry McLain
Company: resident

☒ Telephoned
☐ Will call again
☐ Wants to see you
☐ Urgent

☐ Please call
☐ Returned your call
☐ Came to see you

She wanted to let the Mayor and Council know that she is very much opposed to the Binding Arbitration

Kim Fettahlioglu
Executive Assistant to the Mayor and City Council
City of Santa Clara
408/615-2250
kfettahlioglu@ci.santa-clara.ca.us